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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/713,745	11/15/2000	Kevin Eugene Dombkowski	LUC-162/Dombkowski 6-27	2943
32205	7590	02/09/2004	EXAMINER	
PATTI & BRILL ONE NORTH LASALLE STREET 44TH FLOOR CHICAGO, IL 60602			PHAM, TUAN	
			ART UNIT	PAPER NUMBER
			2643	7

DATE MAILED: 02/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/713,745	Applicant(s) DOMBKOWSKI ET AL.	
	Examiner TUAN A PHAM	Art Unit 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5</u> . | 6) <input type="checkbox"/> Other:  |

## DETAILED ACTION

### *Claim Objections*

1. Claim 8 is objected to because of the following informalities: claim 8 contains a minor spelling error. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).
4. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Heidari et al. (U.S. Patent No. 6,512,739, hereinafter, "Heidari").

Regarding claims 1 and 13, Heidari teaches a line card for a telecommunications system comprising (see figure 2, line card 210, col.4, ln.23-25):

a multiple mode circuit (see figure 3), capable of supporting symmetric and asymmetric telecommunication services (see figure 1, col.3, ln.55-65).

Regarding claim 2, Heidari further teaches the line card wherein the multiple mode circuit comprises: the xDSL interface for supporting symmetric and asymmetric xDSL services (see figure 3, col.3, ln.55-65).

Regarding claims 3 and 17, Heidari further teaches the line card wherein the xDSL interface is capable of supporting any one of asymmetric digital subscriber line service, asymmetric digital subscriber line lite service, very high speed digital subscriber line service, symmetric digital subscriber line service, high bit rate digital subscriber line service, single pair symmetric digital subscriber line service, HDSL2 and SHDSL (see col.3, ln.55-65).

Regarding claim 4, Heidari further teaches the line card wherein the multiple mode circuit comprises: the POTS interface for supporting POTS service (see figure 2, PSTN voice band 242).

Regarding claims 5, 14, and 16, Heidari further teaches the line card wherein the multiple mode circuit substantially concomitantly supports POTS service and asymmetric digital subscriber line services (see col.4, ln.12-23).

Regarding claims 6 and 15, Heidari further teaches the line card wherein the xDSL interface is capable of supporting any one of asymmetric digital subscriber line service, asymmetric digital subscriber line lite service and very high speed digital subscriber line service (see col.3, ln.55-65).

Regarding claim 7, Heidari further teaches the line card wherein the multiple mode circuit comprises: an automatic mode circuit (e.g. DSP), which substantially automatically determines which symmetric and asymmetric services, should be supported (see figure 3, DSP 372, col.6, ln.46).

Regarding claim 8, Heidari further teaches the line card wherein the automatic mode circuit comprises: a controller for receiving instructions regarding the services being supported and for controlling the multiple mode circuit based on the instructions (see col.6, ln.50-55).

Regarding claim 9, Heidari further teaches the line card wherein the controller receives the instructions from external devices (see col.6, ln.40-65).

Regarding claim 10, Heidari further teaches the line card wherein the controller is capable of changing the services being supported during a communication session (see col.6, ln.40-65).

Regarding claim 11, Heidari further teaches the line card wherein the controller changes the services being supported during a communication session based on information received via a handshake signal (see col.7, ln.20-35).

Regarding claim 12, Heidari further teaches the line card wherein the automatic mode circuit comprises a controller for monitoring the multiple mode circuit, for determining which one of the services should be supported based on operation of the multiple mode circuit, and for instructing the multiple mode circuit to support the one of the services (see col.9, ln.1-45).

Regarding claim 18, Heidari teaches a method for supporting POTS and asymmetric digital subscriber line services and symmetric digital subscriber line services on a line card comprising the steps of:

selecting whether to support the POTS and asymmetric digital subscriber line services or whether to support the digital subscriber line services;

receiving a communication signal at the line card;

if POTS and asymmetric digital subscriber line services are being supported, separate POTS signals and asymmetric digital subscriber line signals in the communication signal;

process the POTS and asymmetric digital subscriber line signals;

if symmetric and asymmetric digital subscriber line services are being supported, separate digital subscriber line signals in the communication signal; and

process the digital subscriber line signals. Heidari does not disclose in detail how the line card supports multiple protocols. However, It is inherently the line card (see figure 2, line card 210) is selecting to support multiple protocols such as POTS, ADSL, SDSL and xDSL. The line card is independently separated and process POTS and xDSL signal on the subscriber line when transmitting or receiving.

Regarding claim 19, Heidari, further teaches the method wherein the step of selecting whether to support comprises the step of: receiving instructions from an external device regarding which of the POTS and asymmetric digital subscriber line services or which of the symmetric or asymmetric digital subscriber line services to support (see col.3, ln.50-65).

Regarding claim 20, Heidari further teaches the method wherein the step of receiving instructions comprises the step of: receiving the instructions in a handshake signal (see col.7, ln.10-35).

Regarding claim 21, Heidari further teaches the method wherein the step of receiving the instructions comprises the step of: receiving the instructions in a handshake signal during a communication session (see col.7, ln.10-35).

Regarding claim 22, Heidari further teaches the method wherein the step of selecting whether to support comprises the steps of: monitoring operation of the line card; and selecting whether to support POTS and asymmetric digital subscriber line services; or whether to support symmetric digital subscriber line services based on the operation of the line card (see col.9, ln.1-30).

Regarding claim 23, Heidari further teaches the method wherein the asymmetric digital subscriber line service comprises any one of asymmetric digital subscriber line service, asymmetric digital subscriber line service and very high speed digital subscriber line service (see col.3, ln.55-67).

Regarding claim 24, Heidari further teaches the method wherein the symmetric digital subscriber line services comprises any one of high bit rate digital subscriber line service and single pair symmetric digital subscriber line service (see figure 1).

### Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the applicants are also requested to consider the following references. Although Rezvani et al. (U.S. Patent No. 6,466,088), Hjartarson et al. (U.S. Patent No. 6,295,343), Heise (U.S. Patent No. 6,661,894), and Gidwani (U.S. Patent No. 6,640,239) are not applied into this Office action; they are also called to Applicants attention. They may be used in future Office Action(s). These references are also concerned for supporting the apparatus and method for combining voice line card and XDSL line card function and configuration for supplying a telephone subscriber loop with a supply voltage and network-side terminal of telephone subscriber loop.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (703) 305-4987 and E-mail address is: **tuan.pham@USPTO.GOV**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708 and

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Or faxed to:



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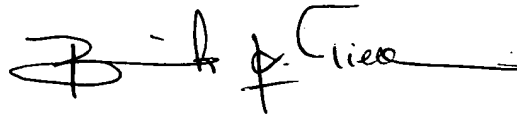
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal  
Drive, Arlington VA, Sixth Floor (Receptionist, tel. No. 703-305-4700).

Art Unit 2643

Date: January 29, 2004

Examiner

Tuan Pham

A handwritten signature in black ink, appearing to read "Binh Tieu", with a stylized flourish at the end.

**BINH TIEU**  
**PRIMARY EXAMINER**